

Magistrate Judge Hon. Gabriel W. Gorenstein
U.S. District Court for the Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007
Via pro se electronic filing

MEMORANDUM ENDORSED

Re: Case No.: 23-cv-09648-JGL-GWC *Goodman v the City of New York et al*

July 4, 2024

Dear Judge Gorenstein,

I write in response to Your Honor's order to show cause and to apologize for this late response. With this letter, pursuant to Your Honor's Individual Practices Rule 1 E, I respectfully request an extension of time to file, and simultaneously seek leave of that Rule after the time to file has passed. I have not had sufficient time to ask opposition if this delay is acceptable due to the July 4th holiday and this is the first request for an extension of time to file.

I mistakenly recorded the deadline to respond as July 5 and did not intentionally ignore Your Honor's deadline of June 28. I was focused on a response filed in another case July 2, 2024 (*See The National Academy of Television Arts and Sciences, Inc. v. Multimedia System Design, Inc* Second Circuit 23-7952 Dkt. 47). There is no excuse apart from my own mistake. I am currently involved in a multitude of legal actions, each of which has been brought about or is agitated persistently by a malicious nonparty, David George Sweigert, ("Sweigert").

The Court is already familiar with Sweigert and his ongoing effort to interfere with this case. He currently has three nearly identical cases against me in the SDNY, *See Sweigert v. Goodman et al* 2023 cv 05875, *Sweigert v. Multimedia System Design, Inc. et al* 2023 cv 06881 and *SWEIGERT v. GOODMAN et al* 2024 cv 02203. Additionally, Sweigert has a case in D.C. that attempts to involve me, *SWEIGERT v. BENASSI et al* 2024 cv 00646.

Sweigert also has been harassing my innocent octogenarian parents with letters in the U.S. mail and text messages. This outrageous behavior is beyond reason. My parents have nothing to do with him and he has no legitimate purpose in contacting them. In his persistent harassment of my father, Sweigert made a recent filing in *Goodman v Bouzy et al* 1:21-cv-10878-AT-JLC Dkt. 288 Filed 06/23/24

I have never met Mr. Sweigert and have no business, personal or other relationship with him apart from his constant litigation against me. Seven years ago, he announced his intentions to sue me for the rest of his life and has been fulfilling that promise since then. He appears to spend every day, doing anything and everything he can to harm me. This includes repeatedly suing me, interfering with this and other legal action, harassing my family, sending letters to attorneys in this case and law enforcement referring to me as a F*CKING JEW and more.

I mention this activity because it goes to the heart of this case and the assault on November 1, 2022 by the Does. In the reply to a previous show cause order, the Court heard about Sweigert's October 21, 2022 email to legal@twitter.com two weeks before the assault.

The Court has also previously heard about defendant Musk firing the Deputy General Counsel James Baker ("Baker") in December 2022, approximately one month after I was attacked. <https://www.nytimes.com/2022/12/13/technology/elon-musk-twitter-shakeup.html>

Musk himself stated that he fired Baker because Baker was carrying out orders of the FBI by covering up the New York Post's Hunter Biden Laptop story rather than following orders of X Corp. If the Does acted under Baker's orders, they also acted under color of law for the FBI.

Even if the Court disagrees that the Doe defendants acted under color of law, they were at least acting on behalf of X Corp security or the NYPD and by the doctrine of respondeat superior, X Corp, the NYPD and Musk should be liable for the Doe defendants' actions.

There is evidence in the video uploaded on May 24, 2024, pursuant to Your Honor's Order (Dkt. 113) indicating that the Doe defendants worked for X Corp and were known to Musk employees. Additionally, in the facially defective summons that was wrongfully written by defendant Jennifer Caruso and dismissed in court in my favor, it is admitted the Doe defendants are "known to the dept." I respectfully request the Court compel the NYPD defendants to reveal the identity of the Doe defendants so they may be charged with assault for choking and striking me. If the Court disagrees, I respectfully request the Court compel defendant X Corp to reveal whether the Does were or were not employees of, or contractors to Twitter on November 1, 2022, and if they were, to reveal their identities.

If the Court will not compel the NYPD or X Corp to reveal the identities of the Does, the Court should compel defendant Elon Musk to reveal the identity of John Doe 1, the individual who told the NYPD defendants that he did not witness anything in contradiction to photo and video evidence when he left the scene with recordings of the incident.

The Court should not dismiss the Doe defendants, but rather in the interest of justice, this case should move on to discovery and the Court should compel the defendants to reveal the identities of the Doe defendants. Even if the Court finds the Does did not act under color of law, I should be granted leave to amend my complaint to include more appropriate causes of action for assault, menacing, and any other relief as determined by the Court.

The Court will accept this letter as a timely response to the Order to Show Cause dated June 21, 2024 (Docket # 114). If plaintiff is seeking to make any additional arguments in response to the Order Show Cause, he may do so by letter filed on or before July 16, 2024. There will be no extension of this deadline. It is requested that counsel for defendants email a copy of this Order to plaintiff.

Respectfully submitted,



Jason Goodman

So Ordered.


 GABRIEL W. CORENSTEIN
 United States Magistrate Judge

July 9, 2024